

"JOHNNY'S" CRIES RISE FROM THE TENEMENT

Tired of Baking Pavements, He Longs to See Waving Treestops.

HE WANTS HIS VACATION

You Have Had Yours—\$5 Would Take Him to the Land He Dreams About—It's "Up to You."

Have you had a vacation? Johnny Jones has not, and, what is worse, his chance of getting one is growing smaller every day. Do you ask why? Because Johnny's one chance lies in the possibility that the Tribune Fresh Air Fund will send him away for a vacation, and the Tribune Fresh Air Fund is on the verge of being forced to stop sending boys and girls to the country, owing to lack of the funds necessary for the continuance of its work.

Have you, kind reader, given one thought to Johnny Jones and his like this summer? Have you stopped to ask once this summer, not whether it is your duty—though that question might be asked, too—but whether it would not make you happier and your vacation a more joyous one if you should make possible the vacation of some Johnny Jones?

You have gone light heartedly through the summer, clad in purple and blue, and so to speak, and you have fared sumptuously upon the fat of the land every day. Every week end you have run up to your Adirondack camp, out to your farm or down to the seashore. You are one of life's fortunate ones.

And Johnny, a dirty little beggar, as you would call him if you should see him in his everyday character, and who has had his life in the tenement, and who has had the baking asphalt or fiery cobbles; instead of the waving treestops over his head, he has had the bedding flapping from tenement windows; instead of the boom of the breakers or the sigh of the wind through the pines, he has had in his ears the incessant clatter and racket of the crowded streets and the babel of a thousand voices never still. A person to be envied is Johnny!

It is unthinkable, is it not, that you should lay aside your comforts for a time and put yourself in this lad's place—don his rags, breathe the noisome atmosphere of his street, eat his meagre fare, creep into his airless bed, take his cuffs and kicks and hard knocks. May his never be your lot, but can't you for a moment try to imagine what it would mean?

For \$5 you could put Johnny far beyond the reach of all this for a fortnight. For \$5 you could assure him of as pleasant a vacation as you have had, and are going to have. For \$10 you could provide an outing not only for the boy but for his little sister as well. Give it a moment's thought; imagine yourself to be Johnny for a moment.

Why should you look after these children? Because they have no one else to do it. Johnny's father is out of work, or he has no father, and his mother supports a family of six, or sickness has impoverished the family, or laziness has cursed it, or any one of a thousand other misfortunes has robbed Johnny of the matter over, write this large in the consideration—Johnny is not in the least to blame for the condition of life in which he finds himself.

There are hundreds of boys and girls waiting for Tribune outings. Help us to accomplish for them their hope. But you must help quickly if at all.

ACKNOWLEDGMENTS.
From Johnny and Gretchen..... \$50.00
William Wallace, Albany, N. Y..... 25.00
Friends Sunday School of Millbrook..... 12.27
In memory of H. B. E. J. Plais, treasurer..... 10.00
T. M. V..... 10.00
F. S. B. B..... 10.00
Washing it were \$100..... 5.00
D. S. B..... 5.00
From octogenarian on eighty-fifth birthday, August 31, 1913..... 3.00
E. L. M. M..... 2.00
W. B. B..... 1.00
Mary E. Seaman, Croton-on-Hudson..... 1.00
Previously acknowledged..... 35,767.81
Total, August 28, 1913..... \$85,917.08

Contributions, preferably by check or money order, should be addressed to The Tribune Fresh Air Fund, The Tribune, New York City.

SHRINERS AT COLON

Procession Half a Mile Long Astonishes the Natives.

Colon, Aug. 28.—A party of more than one hundred Osman and other Shriner, with their potentate, Harry Lewis, a number of imperial officers, a band and a patrol, arrived at Cristobal on the steamship Turrialba this morning, where they formed a procession half a mile in length, the like of which had never been seen on the isthmus. The Shriner, in their gorgeous and novel costumes, headed by the local municipal band, marched toward Colon, followed by a crowd of East Indians in turbans and khaki uniforms and by West Indian youths bearing palm branches, as well as by a number of Indians.

Various orders of the Shriner were represented. The party will await the arrival of a number of comrades who reach here on Saturday.

DOING HOMAGE TO WEBSTER

Restoration of Statesman's Old Home Is Celebrated.

Franklin, N. H., Aug. 28.—Exercises celebrating the restoration of the house in which Daniel Webster was born on January 18, 1756, were begun to-day and will continue to-morrow.

The homestead is a small wooden structure, about two and a half miles west of the business district of Franklin, and was fast falling into decay when it was acquired by the Webster Association, which took over the whole Webster estate of about thirty acres.

When Webster first saw the light the home stood in what was then the town of Salisbury, but in 1823 the place was incorporated in the town of Franklin.

Among the speakers to-day were Governor S. D. Feltner and ex-Representative Samuel W. McCall, of Massachusetts.

LOW FACTORIES MUST HAVE SAFE STAIRWAYS

State Industrial Board Orders Inclosed Exits from All Places Used by Workers.

ACTS ON CARMODY OPINION

Buildings of Fewer than Five Stories To Be Equipped with Fireproofed Passageways After October 1.

The Industrial Board of the State Department of Labor, at a meeting here yesterday, adopted regulations for inclosed stairways in factory buildings of fewer than five stories.

The opinion of Attorney General Carmody, that the board had the power to adopt regulations and establishing requirements and standards for the construction, equipment and maintenance of factory buildings, in addition to those demanded by the existing provisions of the statute itself, was presented to the board by the chairman, William C. Rogers, acting Commissioner of Labor.

The opinion further says the legislation does not offend any constitutional provisions, and concludes: "I consider the powers of the Industrial Board along this line to be beyond question, and I advise that the proposed regulation is entirely within its jurisdiction and line of duty."

Acting on the opinion, the board adopted the following regulation:

"In all factory buildings less than five stories in height, in which more than twenty-five people are employed above the ground floor, or in which, regardless of the number of persons employed, articles, goods, wares, merchandise or products of combustible material are stored, packed, manufactured or in the process of manufacture, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith shall be inclosed on all sides by partitions of fire resisting material extending continuously from the basement.

"Where the stairway extends to the top floor of the building, such partitions shall extend to three feet above the roof. All openings in such partitions shall be provided with self-closing doors constructed of fire resisting material, except where such openings are in the exterior wall of the building.

"The bottom of the inclosure shall be of fireproof material at least four inches thick, unless the fire resisting partitions extend to the cellar bottom.

"Such inclosure of stairways shall not be required in factory buildings in which there is an exterior inclosed fireproof stairway, or a horizontal exit serving as a required means of exits as defined in Section 731, subdivisions 3 and 4 of the labor law. Where approved automatic sprinklers are installed throughout such buildings, such inclosure of stairways shall not be required unless more than eighty persons are employed above the ground floor.

Another regulation adopted forbids the storing of combustible articles on stairways, landings, passageways or platforms, or under any stairway, unless such stairway and any partitions or doors thereunder are protected or constructed of non-combustible material.

The regulations will go into effect October 1.

TOUR FOR SOTHERN-MARLOWE

Stars Plan to Spend Twelve Weeks on the Pacific Coast.

E. H. Sothern and Julia Marlowe, after their five weeks' season at the Manhattan Opera House, beginning Monday, September 22, will go almost direct to California and the Northwest for a twelve weeks' tour. Sothern and Marlowe have played in California only once since they joined forces in 1904.

In order to accommodate this Western tour, it will be necessary for them to curtail their annual visits to a number of larger cities. Philadelphia, for example, will have two instead of three weeks, and Boston will be the only city in New England where they will play this season.

NEW BELASCO PLAY PRESENTED

[By Telegraph to the Tribune.]
Rochester, Aug. 28.—David Belasco presented "The Temperamental Journey" for the first time here to-night at the Lyceum Theatre, with Leo Dittichstein, who is playing the part of the French, in the leading part. Besides Mr. Dittichstein, the cast includes Isabel Irving, Josephine Victor, Richie Ling, Henry Bergman, Edward Durand and Cora Witherspoon.

The play received a warm reception and Mr. Belasco was called before the curtain many times. "The Temperamental Journey" will open in New York at the Belasco Theatre next Thursday.

"HER OWN MONEY" PRODUCED.

[By Telegraph to the Tribune.]
Albany, Aug. 28.—The first performance of "Her Own Money," a new play by Mark E. Swan, which will come to the Comedy Theatre in New York Monday, was given in Albany to-night under the direction of Winthrop Ames. The play, which deals with the problem of a woman who deals with her husband and wife about money, told an interesting story and was well received. Julia Dean played the leading part. Others in the cast were Sydney Booth, Beverly Sitgreaves, Maude Durand, Louise Grassell, George Hassell and Ernest Glendinning.

"WHO'S WHO?" IN NEW HAVEN.

[By Telegraph to the Tribune.]
New Haven, Conn., Aug. 28.—"Who's Who?" the new Richard Harding Davis farce, was presented here to-night for the first time by Charles Frohman, with William Collier in the leading part. The play will have two weeks' tour before opening in New York.

KEITH BUYS CHASE'S THEATRE.

[By Telegraph to the Tribune.]
Washington, Aug. 28.—B. F. Keith, owner of the Keith vaudeville circuit, it was announced here to-day, has purchased Chase's Theatre, a vaudeville house owned by P. B. Chase and the newest theatre in Washington.

HARRISON SAILS SEPTEMBER 10.

[By Telegraph to the Tribune.]
Bar Harbor, Me., Aug. 28.—Mr. and Mrs. Francis Burton Harrison will close Grandway Court to-morrow and go to New York to spend several days. They will sail from San Francisco on September 10 on the Manchuria for the Philippines. The trip will occupy five weeks, and in Japan the new Governor General and his family will be presented to the Emperor.

SOCIETY FOLK RETURN FROM SUMMER HAUNTS

Countess Annie Leary Gives First of Series of Afternoon Teas at Newport.

PLANS FOR BARN DANCE

Mr. and Mrs. Alfred G. Vanderbilt Arrange Dinner Parties at Oakland Farm for Next Week.

Mr. and Mrs. Reeve Schley have returned from Europe and will spend the remainder of the season at Monmouth Beach, N. J.

Mr. and Mrs. Joseph P. Grace arrived in the city Wednesday from New Hampshire, where they spent the summer. They will pass the fall at their country place at Great Neck, Long Island.

Mr. and Mrs. Frederic V. S. Crosby, of Tuxedo, are the guests of Mr. and Mrs. Eben Richards, at Prides Crossing, Mass.

Mrs. Alois Potter has returned to Southampton, Long Island, from Babylon.

Mr. and Mrs. Alvin Untermyer, who were married in February, arrived in New York Wednesday on board the Imperator. Mrs. Untermyer is a daughter of Mr. and Mrs. R. Ogden Chisolm.

Mr. and Mrs. Stephen C. Clark have been spending a few days at the Hotel St. Regis.

Mr. and Mrs. James B. Haggin will close their villa at Newport next week and go to their place in Kentucky for the fall.

Mr. and Mrs. Julien Stevens Uman, who spent a week in town at the Hotel Plaza, have returned to Southampton, Long Island.

Mr. and Mrs. Prescott Lawrence, who have been abroad since last fall, will go to Newport the middle of next month to remain until late in the fall.

Mr. and Mrs. Richard T. Wilson will leave Saratoga to-morrow for Newport.

Mr. and Mrs. Henry Forbes McCreery, who are at the Oriental Hotel, Manhattan Beach, will go to Briarcliff, N. Y., to-morrow for the month of September.

Hermann Oelrichs and George Henry Warren, Jr., have arrived by automobile from Newport, and are at the St. Regis.

Mr. Samuel A. Wellison is visiting her parents, Mr. and Mrs. Gerald Livingston Hoyt, in Beverly, Mass.

Worthington Whitehouse is visiting his cousins, Mr. and Mrs. C. M. Connell, at Saranac Inn, Saranac, N. Y.

AT NEWPORT.

[By Telegraph to the Tribune.]
Newport, Aug. 28.—The first of a series of afternoon teas was given by Countess Annie Leary at Oak Gate this afternoon.

Mrs. Stuart Duncan's barn dance will be the feature entertainment to-morrow evening. It will be preceded by several dinner parties. The largest of these will probably be that to be given by Mrs. C. F. Hoffman in honor of Miss Marie L. Rodewald, of New York, who arrived to-day with her father, Mrs. J. J. Mason and Mrs. William E. Glyn will also be dinner entertainers to-morrow evening.

Mr. and Mrs. Alfred G. Vanderbilt are returning from New York on Saturday. They will give dinner parties at Oakland Farm on Monday, Tuesday and Wednesday evenings of next week, the nights of the Newport horse show. Dancing will follow the Wednesday night dinner party.

Registered at the Casino to-day were Albert E. Kennedy, of Philadelphia; George Brooks, 52, of Birdsboro, Penn.; visiting Elbridge T. Gerry, Hoffman Miller, of Tuxedo Park; L. McKivier, of New York; and Frederick C. Fearing, of New York.

Dr. and Mrs. Preston P. Satterwhite have returned from Bar Harbor on the steam yacht Isis. They will remain for the horse show.

Count Gunter von Bernstorff, son of the German Ambassador, is a week-end guest of Baron von Lersner at the German Embassy.

Mr. and Mrs. Samuel J. Wagstaff have returned to West Islip, Long Island, after a visit with Mrs. Amos Tuck French, Mrs. Wagstaff's mother.

Walter C. Cabell has returned from a week's stay here to New York.

Mrs. Maude Howe Elliot is going to Bar Harbor next week, where she will be guest of Mrs. London, wife of the Minister from the Netherlands.

Mrs. Henry P. Perry, who was operated upon Wednesday night for appendicitis, was reported at the Newport Hospital to-day as resting comfortably. Mrs. Charles de L. Oelrichs, who was operated upon at the hospital some time ago, is able to sit up a short while each day.

DOINGS AT BAR HARBOR.

[By Telegraph to the Tribune.]
Bar Harbor, Me., Aug. 28.—Mrs. A. Taylor was a luncheon hostess. Her guests included Walter Phelps, Herbert Puttner, Francis Weld, Louis McCagg, Jr., Henry Taylor, William Taylor, Mr. Achelis, Mr. Fremont-Smith, Miss Sharpless, Miss Stillman, Miss McCagg, Miss Dorothy Fremont-Smith, Miss Beatrice Burrill, Miss Hannah Wright, Miss Claudia Phelps and Miss Frances Meers.

Whitney Wright had as luncheon guests to-day Morgan Phillips, Cushing Hamlen, H. Russell, Robert Gennett and George Whitney.

Mr. and Mrs. John D. Rockefeller, Jr., will entertain at dinner on Tuesday and Mrs. Rockefeller will give a luncheon on Thursday.

Mrs. C. A. Herter, of Seal Harbor, will give a dance on Thursday evening.

About sixty of the younger set attended a dance given by Mrs. Sheffield Phelps and Mrs. A. M. Patterson in the barn of the latter.

A special concert will be given at the Swimming Club by the Boston Symphony Orchestra players on Monday afternoon, with a special Wagner programme from 5.30 to 6.30 o'clock, and turkey trotting from 6.30 to 6. A general admission fee will be charged.

IN THE BERKSHIRES.

[By Telegraph to the Tribune.]
Lenox, Aug. 28.—One of the prettiest afternoon affairs of the Lenox season was the dance which Mr. and Mrs. Thomas Shields Clarke gave at Fernbrook for Miss Beatrice Clarke. Mr. and Mrs. Clarke were assisted in receiving their daughters, the Misses Alma and Beatrice Clarke. The dancing was in Mr. Clarke's studio, which was decorated in early autumn foliage and garden flowers. Tea was served in the villa. There were



GEORGIA CAINE IN "ADELE."

"ADELE"

Briquet and Herve's New Musical Comedy at the Longacre.

The Longacre Theatre has found its attraction for the season in "Adele," the new three-act musical comedy by Paul Hervé and Jean Briquet—the librettist and composer, respectively, of "Alma"—which had its first performance there last night. "Adele" will stay with us all winter, and when the trees begin to bud again in the parks she will still be playing to crowded houses. And long before that time her waiters, named after her, will be played and sung everywhere the country over. It is a fitting measure that is a worthy successor to the "Alma" song.

The translators of the book, Adolf Philip and Edward A. Paulson, have retained enough of the original to give us an understandable, well connected story, adapting it to our cis-Atlantic requirements with understanding and a deft touch. The plot deals with the little plot of Adele Parmaceau, the daughter of a millionaire canner of sea foods, to have her own way in the matter of her marriage. She is in love with Robert Friebur, the son of her father's hated business rival, and both parents have forbidden the match, so Adele induces Baron Charles de Chantilly to marry her, and to let her divorce him immediately after the ceremony. Then, independent of her father under the law, she will wed her lover. The baron's fiancée, Mme. Myrienne de Neuville, whom he is too poor to marry, consents the stratagem and the dowry it will bring him. But the young couple, once married, fall in love, and many other plans concocted in the course of the story go wrong, among them that of a canned sea food trust to be controlled by the rival business men. Myrienne and Robert are left to console each other; and there is a third love affair between the baron's valet and his wife's chambermaid.

But it is the music that will carry "Adele" to a record breaking success. The songs that one wishes to hear again, that begin to sing themselves in the memory the morning after, succeed each other in unbroken succession. There is, first of all, "Adele," charmingly sung by Natalie Alt. It recurs time and again in the score, with undiminished freshness.

A quartet, "The Love," by Miss Alt, Will Danforth, Edith Bradford and Harry C. Bradley, which opens the first act after the usual chorus, is scarcely less pleasing and Georgia Caine and Hal Forde scored twice in succession with "Like Swallow Flying" and "Honeycomb with You."

Miss Caine, Mr. Forde and Crawford Kent have another good song in the second act, "Matters of Opinion," which contains, also, "Close Your Eyes," sung by Mr. Forde and Miss Alt, and "When the Little Birds Are Sleeping," by her and Mr. Kent.

The finale of this second act is musically truly delightful. The third act contains several more numbers that have the real singing quality, among them "Strawberries and Cream," a dainty thing, sung daintily by Miss Alt and Mr. Forde, and the ballad of "My Long Lost Love, Lenore," rendered by Adele's father (Will Danforth).

Miss Alt and Miss Caine sang their best and were rapturously applauded. Miss Caine, indeed, received ample proof of the place she holds in the affections of New York audiences. Mr. Danforth and Dallas Welford furnished the fun as the quarrelling fathers, the latter giving a notably amusing performance in a make-up and costume that were the essence of French middle-classness.

Mr. Forde looked the part of the Baron, and played and sang it equally well. The production is handsomely mounted and dressed, and the stage management is Ben Teal's.

It is unnecessary to say more. The audience had him out at the end of the second act. To see "Adele," you will like it, and tell others to go. Also, you will very likely go to see it again yourself.

CAST OF "ADELE."
Baron Charles de Chantilly..... Hal Forde
Robert Friebur..... Crawford Kent
Henri Parmaceau..... Will Danforth
Alfred Friebur..... Dallas Welford
Louis Parilly..... Harry C. Bradley
Gaston Neuville..... E. H. Barish
Antoine Cartouche..... Henry Ward
Francis..... Charles Fry
Violette..... Edith Bradford
Germaine..... Jane Hall
Gabelle..... Betty Brewster
Faustine..... Jane Warrington
Therese..... Estelle Richmond
Pauline..... Helen May
Henriette..... Edna Dedworth
Georgette..... Alice York

OBITUARY

EDWARD M. BOWMAN.

Edward M. Bowman, prominent as an organist and choir organizer, died Wednesday at his home, No. 799 East 15th street, Brooklyn. He was born at Barnard, Vt., July 15, 1842, and was descended from Nathaniel Bowman, who went from England with John Winthrop in 1630 and became one of the founders and owners of Watertown, Mass. He was also descended in his mother's line from Richard Warren and Sarah Tilley, who came to this country in the Mayflower. At the age of fourteen, he became organist of the church of his native town. He was graduated from St. Lawrence University and made a thorough study of music here and abroad.

For a time he was organist of Trinity Church, Manhattan. In 1867 he took a similar place with the Second Baptist Church, St. Louis, and stayed there twenty years. The Rev. Dr. Cortland Myers obtained his services for the Baptist Temple, Brooklyn, in 1894. He then organized a choir of two hundred voices which became widely noted. Twelve years later he became organist and choir organizer of Calvary Baptist Church, Manhattan, where he was engaged at the time of his death.

He was a member of the Royal College of Organists of London, one of the founders of the American Guild of Organists, founder and president eight times of the American College of Musicians, five terms president of the Music Teachers' National Association and four years professor and director of music at Vassar College. He was a member of the executive board of the Brooklyn Young Men's Christian Association, member of the department of music of the Brooklyn Institute of Arts and Sciences, member of the board of governors of the Squire Island Village Corporation and president of the Vernal Practice Clavier Manufacturing Company. He was the author of "Bowman's Weltmann's Manual of Harmony and Counterpoint."

Funeral will be held to-morrow afternoon at 2 o'clock.

MGR. JOHN IGNATIUS BARRETT.

Mr. John Ignatius Barrett, rector of St. Michael's Church, Fourth avenue and 42nd street, Bay Ridge, and secretary to Bishop Charles E. McDonnell for twenty years, died yesterday at St. Mary's Hospital, Brooklyn, from an affection of the heart. He was born January 25, 1863, in the parish of St. Peter and Paul, in old Williamsburg. His early days were spent under the care of the Rev. Sylvester Malone, who was pastor of the Church of St. Peter and Paul at the time.

His early education was acquired in the parochial school. He then entered the College of St. Francis Xavier, in Manhattan, from which he was graduated in 1885. In September of that year he entered the North American College at Rome, Italy, where he continued his theological studies for five years.

He was ordained to the priesthood in 1890 by Cardinal Lucidas M. Parochi, Vicar of Rome, at the Basilica of St. John Lateran, and became private chamberlain to Pope Leo XIII, which post he held for several years. Later he was made a domestic prelate by Pope Pius X, with the title of Monsignor. He celebrated his first mass at St. Peter's, Rome, returning to Brooklyn in 1896. Bishop Loughlin assigned him as an assistant to the Rev. John McGuire, rector of St. Mary's Church, Long Island City.

The following year he was transferred to St. Augustine's Church, Sixth avenue and Park Place, Brooklyn, as an assistant pastor. Edward W. McCarthy, until the consecration of the Right Rev. Charles C. McDonnell as Bishop of Brooklyn, who appointed him as his secretary. In 1912 he was appointed rector of St. Michael's Church, at Bay Ridge, succeeding the Rev. William T. McGuire.

The funeral will be held on Monday morning at St. Michael's Church, the celebrant of the mass being his brother, the Rev. Thomas Barrett, S. J., who, with Francis Barrett, a brother, and Mrs. Helen Ormond, a sister, survives him.

CHAUNCEY GETMAN.

Fort Plain, N. Y., Aug. 28.—Chauncey Getman, one of the oldest Odd Fellows in the world, and a member of that organization for sixty-three years, died here to-day. He was ninety-three years old.

WILLIAM FLINN ILL AGAIN.

[By Telegraph to the Tribune.]
Pittsburgh, Aug. 28.—William Flinn, the Progressive leader, is seriously ill again. He is in a hospital.

HAMMERSTEIN SETTLES UP

Puts an End to E. T. Stotesbury's Suit for \$39,960.

[By Telegraph to the Tribune.]
Philadelphia, Aug. 28.—Oscar Hammerstein has settled the suit brought against him by Edward T. Stotesbury, of this city, to recover \$39,960, which Mr. Stotesbury asserted he was owed by Hammerstein as a loan to assist the New Yorker in producing grand opera in Philadelphia. At the trial in New York, which resulted in a disagreement, Mr. Hammerstein declared that Mr. Stotesbury gave the money outright, and "was tickled to death when praised as a public benefactor."

Over the telephone this evening Hammerstein acknowledged that the case had been amicably settled. He first said the settlement had been brought about by his paying the costs, but later recalled that "\$4,000 or \$5,000 might have been involved."

Persons closely associated with the Stotesbury lawyers declared that Mr. Hammerstein had paid much more than the costs, and was glad to settle rather than have to face another trial.

WIFE GETS KIELEY ESTATE

Adopted Daughter Not Mentioned in Will of Inventor.

The will of Timothy J. Kieley, of No. 246 Waverley Place, who was once a coal stoker on an ocean steamship, but who died the owner of an estate estimated at \$250,000, was filed in the Surrogate's Court yesterday. The testator died August 17. His will was executed April 19 last. He left his entire estate to his second wife, Mrs. Margaret E. Kieley.

One Milton Salomon, who used to be in Mr. Kieley's employ, gave out a story last June about a bequest of more than \$100,000 which he said Mr. Kieley had left him out of gratitude for Salomon's saving his life. At the time, of course, his supposed benefactor was still alive. Salomon told what he was going to do with the money when he got it. He is still running an elevator, for Mr. Kieley did not act on the suggestion given with the premature announcement of his death.

MRS. PUTTZER CLAIMS BIG ESTATE WINDFALL

Publisher's Widow Asks 600 Extra Stock Shares in Reply to Executors' Suit.

ADDS TO \$2,500,000 TRUST

Also Wants Court to Determine Rights of Sons in Stable Under Will of "World" Owner.

Mrs. Kate Davis Puttizer, widow of Joseph Puttizer, who was the owner of "The New York World" and who died on October 29, 1911, through her counsel, Carter, Ledyard & Milburn, yesterday filed in the Supreme Court her answer to the friendly action brought by the executors, in which they asked for a judicial construction of some of the provisions of the Puttizer will.

Mrs. Puttizer made points in her answer as follows: That the transfer tax on the real estate owned by her husband should be paid out of his real property, although it might be necessary to sell the Puttizer stable to pay it, and that no part should come out of the \$2,500,000 trust created for her by Mr. Puttizer, and which is known as the "widow's trust"; that the trust fund should include properties valued at \$2,500,000 at the time of the death of her husband, as she maintained he intended in creating the trust, and that 600 shares of General Electric Company stock, which have accrued to the 2,000 shares of the same company set aside by the executors for the "widow's trust," should be added to the trust fund as income and should not be considered as principal.

Mrs. Puttizer said, as alleged by the executors, that they have set aside to themselves, as trustees of the \$2,500,000 fund, 2,000 shares of the General Electric stock as part of the trust principal. After this was done the General Electric Company increased its capital stock from \$50,000,000 to \$100,000,000 and declared a stock dividend of one-third of the increase amounting to three-tenths of a share, which gave the Puttizer trustees 600 additional shares.

Mrs. Puttizer said, on information and belief, that this dividend was declared upon the increase as payable to its stockholders of record December 31, 1912, and that it represented entirely the accumulated earnings and profits of the company. She contended that the dividend consisted of the trust as a stock dividend, and that part of the income of the trust, and that she was entitled to receive it.

Mrs. Puttizer said she believed it was the intention of her husband that the trust fund should include properties valued at \$2,500,000 at the time of his death, and not at the time the trustees set aside the property that constituted this trust. She asked the court to pass on this point, although the difference in values was not given.

Mrs. Puttizer asked the court to determine whether the interest of her sons, Ralph and Joseph, in the stable of her husband, at No. 395 East